
**Town Warrant
Special Town Meeting
November 5, 2007**

Hampshire, ss.

To one of the Constables of the Town of Amherst, in said county, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the registered voters of the Town of Amherst of the **Special Town Meeting** to be held in the Auditorium of the Amherst Regional Middle School in said Amherst at seven-thirty o'clock p.m. on **Monday, the fifth day of November, two thousand and seven**, when the following articles will be acted upon by town meeting members:

ARTICLE 1. Reports of Boards and Committees (Select Board)

To see if the Town will hear those reports of Town officers, the Finance Committee, and any other Town boards or committees which are not available in written form.

ARTICLE 2. Transfer of Funds – Unpaid Bills (Finance Committee)

To see if the Town will, in accordance with Chapter 44, Section 64, of the Massachusetts General Laws, appropriate and transfer a sum of money to pay unpaid bills of previous years.

ARTICLE 3. FY 08 Budget Amendments (Finance Committee)

A. To see if the Town will amend the budget voted under Article 17 of the 2007 Annual Town Meeting (Fiscal Year 2008 Operating Budget), by appropriating to the Health Claims Trust Fund \$562,207 for employee health insurance and to meet such appropriation transfer \$562,207 from Free Cash in the Undesignated Fund Balance of the General Fund, said appropriation to be reimbursed to the General Fund via a temporary health insurance premium surcharge to employers and employees until such time as the total appropriation has been reimbursed.

B. To see if the Town will appropriate and transfer \$31,323 from Free Cash in the Undesignated Fund Balance of the General Fund for the Hampshire County Regional Lock-up Facility assessment.

ARTICLE 4. Property Tax Exemptions for Veterans' Organizations (Select Board)

To see if the Town will accept the provisions of Chapter 59, Section 5, Clause 5B of the Massachusetts General Laws, which exempt from taxation the real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$700,000 if used and occupied by such association.

ARTICLE 5. Capital – Mark's Meadow Portable Classrooms (Joint Capital Planning Committee)

To see if the Town will appropriate \$195,000 to pay costs of purchasing portable classrooms for use by the School Department, and for the payment of all other costs incidental and related thereto, which amount shall be expended in addition to the \$80,000 previously appropriated by the Town for this purpose, to determine whether this amount shall be raised by taxation, transfer, borrowing or any combination of the foregoing, or to take any other action relative thereto.

ARTICLE 6. Dissolution of Senior Trust – Transfer of Funds (Select Board)

To see if the Town will receive funds currently held by the Trustees of the Senior Trust, in order for the Trust to dissolve according to the terms of the Trust Agreement, and will appropriate funds in the amount received to be transferred to the newly formed Friends of the Amherst Senior Center, Inc.

ARTICLE 7 Community Preservation Act – Open Space (Community Preservation Act Committee)

A. To see if the Town will appropriate \$123,000 from the Community Preservation Fund annual revenues for the purchase of land for open space purposes in North Amherst (Map 3B, Parcel 7, 8, 9, 10, 11, 12, 13).

B. To see if the Town will 1) authorize the Select Board to acquire by gift or negotiated purchase parcels of land containing 28 acres, more or less, designated as Map 3B, Parcels 7 -13 of the Town Cadastre, located north of East Leverett Road, from Haskins View LLC, to be managed and controlled by the Amherst Conservation Commission in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes, 2) raise, borrow and/or appropriate a sum or money for the acquisition of said land and to meet such appropriation with funds transferred and/or borrowed in accordance with M.G.L. Chapter 44B, the Community Preservation Act, 3) authorize the Treasurer, with the approval of the Select Board, to issue any bonds or notes that may be necessary for that

purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority, 4) authorize the Town Manager or his designee to file on behalf of the Town any and all applications deemed necessary under the Self-Help Act (M.G.L. Chapter 132A, Section 11) or any other applications for funds in any way connected with the scope of this acquisition, 5) authorize the Town Manager, the Select Board and/or the Conservation Commission, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual deed restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B as may be necessary on behalf of the Town to effect said purchase.

ARTICLE 8. Community Preservation Act - Town Hall Historic Preservation (Community Preservation Act Committee)

To see if the Town will appropriate a sum of money to pay costs of historic preservation of Town Hall, to determine whether this amount shall be raised from Community Preservation Fund annual revenues, available funds, by borrowing or any combination of the foregoing, or to take any other action relative thereto, and further, to reduce by a sum of money the amount appropriated under Article 23 of the 2007 Annual Town Meeting, or to take any other action relative thereto.

ARTICLE 9. Petition - Resolution – Fair Trade (Friman)

To see if the Town will adopt the following resolution:

WHEREAS, “Fair Trade” is an innovative, market economy system that promotes fair labor practices and healthy, safe work environments through the production of food and other products; and

WHEREAS, Fair Trade provides procedures with fair prices that translates into truly livable wages; and

WHEREAS, production of Fair Trade goods is achieved through sustainable and ecologically friendly means thus supporting the future of a healthy planet for all; and

WHEREAS, millions of people have had their standard of living significantly raised through the simple act of educated consumers selecting and asking for Fair Trade products.

Now Therefore Be It resolved, that Amherst Representative Town Meeting encourages the Town Manager to establish a procedure to maximize purchase of Fair Trade Certified products in the process of procuring necessary goods for the Town. This established procedure would be informed by the fact of Town Manager’s authority to execute contracts and oversee procurement and should adhere to the strict statutory requirements that the Town Manager must follow when purchasing products for Town use.

Be it further resolved, that Amherst Town Meeting calls upon the Select Board to consider working to ensure ongoing education, media exposure and commitment to “Fair Trade” and to encourage businesses and institutions to use and sell Fair Trade Certified products whenever possible for the well being of producers, consumers and the planet.

Be it further resolved, that Town Meeting calls upon the Select Board to consider forming a town committee in order to take a more active role in the future on issues of Fair Trade if it proves productive for the Town to act in an official capacity.

ARTICLE 10 Zoning Bylaw and Zoning Map - Research & Development (R&D) Overlay District (Planning Board)

To see if the Town will add new sections to Sections 2.03, Industrial/Research Park Districts, and to 3.2, Special Districts, of the Zoning Bylaw, and amend the Official Zoning Map in order to create a Research and Development (R&D) overlay district, as follows:

A. Add the following new sections to Section 2.03, Industrial/Research Park Districts, and Section 3.2, Special Districts, of the Zoning Bylaw, as follows:

2.03 Industrial/Research Park Districts

R&D Research & Development

The R&D District is an overlay district intended to modify the regulations in underlying business and industrial/research park districts in order facilitate research and development and testing uses and to provide specific additional regulations with regard to such uses.

3.29 Research & Development (RD) District

3.290 General

The Research & Development (R&D) District is an overlay district and shall be superimposed on other districts established by this Bylaw. Restrictions and prohibitions of land use in the underlying districts shall remain in full force and shall not be modified by the conditions of the R&D District unless superseded by the restrictions and conditions of the R&D District.

3.291 Establishment of District

The Research & Development (R&D) District shall consist of those geographic areas shown as R&D District on the Official Zoning Map. This District is configured to include those lands which, by virtue of their location with respect to institutions of higher learning, transportation corridors, utilities, village centers, services, and other factors, are appropriate for the siting of research, development, and testing businesses.

3.292 Purpose

The purposes of the Research & Development (R&D) District are to:

- 3.2920 Facilitate and promote the establishment, development, and expansion of information- and technology-intensive research and development businesses in Amherst.
- 3.2921 Provide opportunities for the establishment of research and development businesses, including but not limited to those derived from or associated with the research and testing activities of departments or agencies of the University of Massachusetts, Amherst College, and Hampshire College.
- 3.2922 Require that any research and development businesses established in Amherst are located, designed, and operated in conformance with all federal, state and local regulations regarding public health and safety.
- 3.2923 Expand employment opportunities for Amherst residents in the fields of research and development.
- 3.2924 Broaden and diversify the community's property tax base.

3.293 Permit Required

Within the R&D District, any uses under Sections 3.372.0 and 3.372.1 directly involved or associated with research, development and testing activities, including any associated accessory light manufacturing which would otherwise be regulated in the underlying zoning district under a Special Permit (SP) by the Zoning Board of Appeals shall instead be regulated under Site Plan Review (SPR) approval by the Planning Board. An exception shall be any accessory research or testing to be conducted outdoors, which shall require a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw.

3.294 Review Period

Notwithstanding the provisions of Sections 10.323 and 11.230, within the R&D District, the Fire Chief, Building Commissioner, Board of Health, Town Engineer, and Conservation Department shall have forty-five (45) days to report their findings on any application made under Sections 3.372.0 and 3.372.1 which involves the use, production, or storage of materials identified as flammable, toxic, hazardous or explosive.

- B.** Amend the Official Zoning Map to add the Research & Development (R&D) overlay district to the following properties in Amherst currently zoned Limited Business (B-L) which are located west of University Drive and between Amity Street and Northampton Road (Route 9):

Map 13B, Parcels 17, 18, 19, 21, 22, 24, 27, and 28

Map 13D, Parcels 2, 3, 5, 59, 62, and 70.

ARTICLE 11. Zoning Bylaw - Research & Industrial Uses (Planning Board)

To see if the Town will amend Sections 3.372.0, 3.372.1, 3.372.2, and Article 12 of the Zoning Bylaw, by deleting the ~~line-out~~ language and adding the language in ***bold italics***, as follows:

A. To amend Sections 3.372.0 and 3.372.1, as follows:

3.372.0 Research and Development
or Testing facility

| | | | | | | | | | | | | | |
|-------------|------------|-------------|------------|------------|------------|------------------|-------------|------------|-----------|-----------|------------|------------|-------------------|
| R-O | | | | | | | | | | | | | |
| <u>R-LD</u> | <u>R-N</u> | <u>R-VC</u> | <u>R-G</u> | <u>R-F</u> | <u>B-G</u> | <u>B-L</u> | <u>B-VC</u> | <u>COM</u> | <u>OP</u> | <u>LI</u> | <u>PRP</u> | <u>FPC</u> | |
| N | N | SP | N | N | SP | SP/ <i>SPR</i> * | SP | SPR | SPR | SPR | SPR | N | (SP) |

Standards & Conditions

** In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.*

Uses under this section shall include research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This shall include but not be limited to activities conducted in laboratory settings. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses under the provisions of Section 5.07.

In the B-G, B-L, B-VC and R-VC districts, the Zoning Board of Appeals may grant a Special Permit for a research and development use, provided that it consists only of office or similar uses and meets the provisions of Section 3.359, Article 7, and Section 10.38. *An exception shall be where the B-L District coincides with the R&D overlay district, in which case such a research and development use, similarly limited, shall be permitted through Site Plan Review approval.*

In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes, or odors that are a nuisance beyond the lot line, and further no operations shall be *permitted which the permit granting board or special permit granting authority, after consultation with the Board of Health, determines to be unduly hazardous by reasons of potential fire, explosion, ~~or~~ radiation, or chemical or biological hazard, including hazards resulting from the use, production or storage of materials or waste identified as toxic or hazardous, flammable, or explosive.* No research or testing ~~to~~ *shall* be conducted outdoors unless a Special Permit is granted for this purpose by the ~~Zoning Board of Appeals~~ *Special Permit Granting Authority authorized to act under the applicable section of this bylaw.*

3.372.1 Publishing, data processing, light
manufacturing, light assembly
including computer hardware and
software, and scientific products
with associated offices and
distribution facilities.

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|-------------|------------|-------------|------------|------------|------------|------------------|-------------|------------|-----------|-----------|------------|------------|-------------------|
| R-O | | | | | | | | | | | | | |
| <u>R-LD</u> | <u>R-N</u> | <u>R-VC</u> | <u>R-G</u> | <u>R-F</u> | <u>B-G</u> | <u>B-L</u> | <u>B-VC</u> | <u>COM</u> | <u>OP</u> | <u>LI</u> | <u>PRP</u> | <u>FPC</u> | |
| N | N | SP | N | N | SP | SP/ <i>SPR</i> * | SP | SPR | SPR | SPR | SPR | N | (SP) |

Standards & Conditions

** In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.*

Uses under this section shall include those which involve the limited light manufacture or production, principally from previously-prepared materials, of finished products or parts. This may include processing, fabrication, assembly,

treatment, and packaging of such products as well as incidental storage and distribution of such products and associated offices. These uses may also include the on-site production within enclosed structures of custom goods fabricated principally by hand through the use of hand tools and small-scale mechanical equipment.

No mass manufacturing, processing, or fabrication normally conducted under Section 3.372.2 nor any on-premises sale of products shall be permitted in association with uses under this section, except that the on-premises sale of custom-made goods produced by hand manufacturing may be permitted under a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw.

In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for a use under this section, provided that the proposed use consists only of offices or similar uses and meets the provisions of Sections ~~3.360~~ **3.359**, Article 7 and Section 10.38. In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts.

No operation shall create noise, vibration, dust, fumes, or odors that are a nuisance beyond the lot line, and further, no operations shall be *permitted which the Permit Granting Board or Special Permit Granting Authority, after consultation with the Board of Health, determines to be unduly* hazardous by reason of potential fire, explosion, ~~or~~ radiation, *or chemical or biological hazard resulting from the use, production or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.*

B. To amend Section 3.373.2, as follows:

3.372.2 Manufacturing, assembly and processing, including associated offices and distribution facilities.

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|-------------|------------|-------------|------------|------------|------------|------------|-------------|------------|-----------|------------------------------|--|--|------------|
| R-O | | | | | | | | | | | | | |
| <u>R-LD</u> | <u>R-N</u> | <u>R-VC</u> | <u>R-G</u> | <u>R-F</u> | <u>B-G</u> | <u>B-L</u> | <u>B-VC</u> | <u>COM</u> | <u>OP</u> | <u>LI</u> | <u>PRP</u> | | <u>FPC</u> |
| N | N | N | N | N | N | N | N | N | N | SPR SPP | SPR SPP (SP) | | N |

Standards & Conditions

Uses under this section shall include those involving the manufacture, assembly and/or processing, from extracted or raw materials or from previously-prepared materials, of finished materials, products, or parts. These uses may include processing, fabrication, assembly, treatment, and packaging of such products, as well as incidental storage and distribution of such products and associated offices. These uses may involve the production and/or storage of volumes of toxic or hazardous, flammable, or explosive materials under appropriate safeguards and conditions, as determined by the special permit granting authority under the requirements of this section. The on-premises sale of products shall not be permitted in association with any uses under this section.

In all zones, all outdoor storage of materials and equipment shall be screened from public view, from public ways and abutting residential districts. No operation shall create noise, vibration, dust, fumes or odors that are a nuisance beyond the lot line, and further, no operations shall be *permitted which the Permit Granting Board determines to be unduly* hazardous by reason of potential fire, explosion, ~~or~~ radiation, *or chemical or biological hazard resulting from the use, production, or storage of materials or waste identified as toxic or hazardous, flammable, or explosive. Where permitted, all operations involving such materials shall be conducted in a fully enclosed building in accordance with all applicable public health and safety regulations.*

C. To amend Article 12 of the zoning bylaw by adding the following new language under Section 12.35 and renumbering the remaining sections accordingly:

- 12.35 ***Toxic or Hazardous Substance: Any chemical substance or mixture of substances in a gaseous, liquid or solid state which is listed in the Massachusetts toxic or hazardous substance list compiled and maintained by the commissioner of the Massachusetts Department of Public Health in compliance with the provisions of M.G.L. Ch. 111F, section four, as amended, and which is manufactured, processed, used or stored in the workplace, but which shall not include alcoholic beverages as defined in MGL Ch. 138, Section one, or articles intended for personal consumption by employees in the workplace, or consumer articles packaged for distribution to, and used by, the general public, or articles sold or used in retail food establishments and all other retail trade establishments, exclusive of articles used in processing and repair areas, or substances being transported in interstate commerce.***

ARTICLE 12. Zoning Bylaw - Accessory Light Manufacturing (Planning Board)

To see if the Town will amend Section 5.07, Scientific Research or Development, of the Zoning Bylaw by deleting the ~~lined out~~ language and adding the language shown in ***bold italics***:

SECTION 5.07 SCIENTIFIC RESEARCH OR DEVELOPMENT

- 5.070*** Uses accessory to and necessary in connection with scientific research, scientific development, or related production activities in districts where such activities are permitted by right ***under a Special Permit or Site Plan Review approval*** may be permitted ~~upon the issuance of a Special Permit,~~ ***as an amendment to the permit for the principal use*** provided that the ~~Board of Appeals~~ ***Permit Granting Board or Special Permit Granting Authority*** finds that the proposed accessory use does not substantially derogate from the public good. Such an accessory use need not be located on the same parcel or parcels of land as the related principal use or activity permitted by right.
- 5.071*** ***Limited manufacturing activity may be considered an allowed accessory use to a technical research and development office, laboratory, or research facility in the B-G, B-L, B-VC, COM, OP, PRP and LI districts, provided that the following requirements are satisfied:***
- 5.0710*** ***Such manufacturing activity shall be directly related to the research and development activities of the principal use.***
- 5.0711*** ***No manufacturing activity shall occur within two hundred (200) feet of a dwelling unit in a residential district, or within one hundred (100) feet of any dwelling unit in a non-residential district, including any accessory dwelling units under Section 5.016.***
- 5.0712*** ***No manufacturing, processing, or fabrication normally conducted under Sections 3.372.1 or 3.372.2, nor any on-premises sale of products shall be permitted in association with uses under this section.***
- 5.0713*** ***All manufacturing activity shall customarily occur inside of buildings; however, outdoor research work and incidental outdoor fabrication of equipment to conduct outdoor experimentation may be permitted under a Special Permit granted by the Special Permit Granting Authority authorized to act under the applicable section of the Bylaw and issued in conformance with the Standards and Conditions of the principal use and the provisions of Section 10.38.***
- 5.0714*** ***Manufacturing activity, excluding incidental fabrication of outdoor experiments, shall not occupy an area in excess of sixty (60) percent of the gross floor area of a building or group of associated buildings owned by the same establishment.***
- 5.072*** ***An airport or helipad shall not be considered an accessory use under this section.***

ARTICLE 13. Zoning Bylaw - Technical/Professional Offices (Planning Board)

To see if the Town will amend Section 3.359 of the Use Chart (Section 3.3) of the Zoning Bylaw, by deleting the ~~lined out~~ language and adding the language in ***bold italics***, as follows:

3.359 *Low visitation professional or administrative offices*

- 3.359.0*** ***Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services predominantly by appointment to***

clients in person on the premises.

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| R-0 | | | | | | | | | | | | |
| R-LD | R-N | R-VC | R-G | R-F | B-G | B-L | B-VC | COM | OP | LI | PRP | FPC |
| N | N | SP | N | N | SPR | SPR | SPR | SPR | SPR | SP | SPR | N |

Standards & Conditions

For the purposes of this section, the general public shall be defined as including all persons acting as customers or clients receiving services. “Predominantly by appointment” shall mean that a majority of customers or clients who are provided services in person on the premises during any extended period of operation (monthly, quarterly, or annually) shall do so through prior appointment. Exceptions shall be discretionary follow-up visits by customers or clients with regard to services already provided, and visits by affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. Office uses under this section shall advertise their on-premises services as being available to the general public only by appointment.

In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for a technical or professional office that provides services predominantly by appointment to customers or clients in person on the premises. The Zoning Board of Appeals may grant a Special Permit providing it finds that, in addition to meeting the provisions of Article 7 and Section 10.38, the proposed office use meets the following conditions:

- 1. Is located on the ground floor only, and occupies no more than 50 percent of the gross floor area of the structure, exclusive of storage space.*
- 2. Shall be allowed only as a second Principal use, where the first Principal use is a residential use consisting of one dwelling unit.*
- 3. Shares a property line with or is adjacent to another property with a similar use permitted under this section or a property in the B-L, B-VC or COM districts.*
- 4. Employs no more than 5 persons who work on-site.*
- 5. Where located in an existing building, the residential character of the structure and site shall be maintained.*

3.359.1 *Administrative business office or similar* ~~B~~business or professional office not providing services to the *general* public in person on the premises.

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| R-0 | | | | | | | | | | | | |
| R-LD | R-N | R-VC | R-G | R-F | B-G | B-L | B-VC | COM | OP | LI | PRP | FPC |
| N | N | SP | N | N | SPR | SPR | SPR | SPR | SPR | SPR | SPR | N |
| | | | | | | | | | | | (SP) | |

Standards & Conditions

For the purposes of this section, the general public shall be defined as including all persons acting as customers or clients. Exceptions shall be affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. No office use under this section shall advertise its services as being available to customers and clients on the premises. Services shall be advertised as being available exclusively by telephone, mail, on-line, or other remote means.

*In the R-VC District, the Zoning Board of Appeals may grant a Special Permit for an **administrative business office or similar business or** ~~for professional or office uses not dealing directly with~~ **that does not provide services to** the general public **in person on the premises**. The Zoning Board of Appeals may grant a Special Permit providing it finds that, in addition to meeting the provisions of Article 7 and Section 10.38, the proposed office use meets the following conditions:*

- 1. Is located on the ground floor only, and occupies no more than 50 percent of the gross floor area of the structure, exclusive of storage space.*
- 2. Shall be allowed only as a second Principal use, where the first Principal use is a residential use consisting of one dwelling unit.*

- 3. Shares a property line with or is adjacent to another property with a similar use permitted under this section or a property in the B-L, B-VC or COM districts.
- 4. Employs no more than 5 persons who work on-site.
- 5. Where located in an existing building, the residential character of the structure and site shall be maintained.

ARTICLE 14. Petition - Allowing Professional Offices Accessible by Appointment in Some Zoning Districts (Coalition for Sustainable Neighborhoods)

To see if the Town will amend the Use Chart (Section 3.3) of the Zoning Bylaw, by adding the following new use as Section 3.360, and renumbering existing subsequent sections of the bylaw as necessary:

3.360 Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services by appointment in person on the premises.

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|------|-----|------|-----|-----|-----|-----|------|-----|-----|----|-----|-----|--|
| R-O | | | | | | | | | | | | | |
| R-LD | R-N | R-VC | R-G | R-F | B-G | B-L | B-VC | COM | OP | LI | PRP | FPC | |
| N | N | N | N | N | SPR | SPR | SPR | SPR | SPR | N | SPR | N | |

In the PRP District, this use shall be limited to offices that employ 15 or more on-site staff on parcels served by town water and sewer. PRP District uses immediately adjoining a residential district shall maintain a 100-foot buffer of natural and undisturbed vegetation. PRP District offices shall provide only 45° downcast exterior door lighting; shall extinguish exterior sign and building face lighting, and parking lot lighting not needed for security of after- or before-hours staff at 9 pm or at the close of appointments whichever is earlier; and, shall provide signs directing exiting vehicles toward main thoroughfares and away from nearby residential streets.

ARTICLE 15. Zoning Map and Bylaw - Spring Street Rezoning and General Business Lodging Uses (Planning Board)

To see if the Town will vote amend the Zoning Bylaw and the Official Zoning Map as follows:

- A. To amend the Official Zoning Map to change the zoning district designation of the following properties from General Residence (R-G) to General Business (B-G): Assessors Map 14A, Parcels 264, 265, 266, 267, 268, 269, 270, and portions of the Town Common and Spring Street public ways, all as shown on Exhibit A.
- B. To amend Section 3.3 of the Zoning Bylaw to change the permit requirements in Section 3.3 for Section 3.327.0, Hotel/Motel, and Section 3.372.1, Inn, from Special Permit (SP) to Site Plan Review (SPR).

ARTICLE 16. Zoning Bylaw - Zoning Map - College/South East Street (Planning Board)

To see if the Town will amend the Official Zoning Map to change the zoning designation for the following properties, all on Assessor’s Map 15C:

Parcel 47 – Rezone that portion of the property currently zoned R-N to COM.

Parcel 7 – Rezone those portions of the property currently zoned R-N and COM to B-VC.

Parcels 3, 4, 8, 9 and 41 – Rezone from R-N to B-VC.

Parcel 42 – Rezone from R-N and COM (portion) to R-VC.

Parcels 16 and 17 – Rezone the portions of these properties currently zoned COM to R-N.

ARTICLE 17. Petition - College/South East Street and Belchertown Road Rezoning (Coalition for Sustainable Neighborhoods)

To see if the Town will amend the Official Zoning Map to change the zoning designation for the following parcels, all on Assessor’s Map 15C;

Parcel 47 – Rezone that portion of the parcel currently zoned R-N to COM.

Parcel 7 – Rezone the portions of the parcel currently zoned COM and R-N to B-VC

Parcels 8 – Rezone from R-N to B-VC.

Parcels 3, 4, 9 and 41 – Rezone from R-N to R-VC

Parcel 42 – Rezone from COM and R-N to R-VC

Parcels 16 and 17 – Rezone the portions of each parcel currently zoned COM to R-N.

ARTICLE 18. Petition - Zoning Map - 500-502 Sunderland Road (Bergstrom)

To see if the Town will amend the Official Zoning Map to change the zoning district designation on Assessors Map 2A, Parcels 51 and 52 from Outlying Residence (R-O) and Low Density Residence/Farmland Conservation overlay (RLD/FC) to Village Center Residence (R-VC).

ARTICLE 19. Petition – Main/Dickinson/High Street Rezoning (Coalition for Sustainable Neighborhoods)

To see if the Town will amend the Official Zoning Map to change the zoning designation for the following parcels, all on Assessor’s Map 14B:

Parcel 28 – Rezone from R-G to B-VC, contingent upon town meeting voting to authorize the Select Board to accept a restrictive covenant foregoing some uses allowed in the B-VC District;

Parcels 53, 56, 57 and 130 – Rezone from COM to R-G

Parcels 58, 59 and 128 – Rezone from COM to B-VC

Parcel 66 – Rezone from R-G to B-VC, contingent upon town meeting voting to authorize the Select Board to accept a restrictive covenant limiting future use of the property to the current use;

Parcels 129 and 234 – Rezone those portions of the parcels currently zoned COM to B-VC

Parcel 131 – Rezone from R-G to B-VC

ARTICLE 20. Petition – Waiver of Effluent Fees to UMASS – Strategic Partnership Agreement (Kelley)

To see if the town will strongly urge the Select Board to rescind their 9/17/07 3-2 vote as Sewer Commissioners to waive effluent fees to Umass, Amherst over the five years of the “strategic agreement”.

You are hereby directed to serve this call by posting attested copies thereof at the usual places:

| | | | |
|---------|---------------------------|----------|-------------------------|
| Prec. 1 | North Amherst Post Office | Prec. 6 | Fort River School |
| Prec. 2 | North Fire Station | Prec. 7 | Crocker Farm School |
| Prec. 3 | Marks Meadow School | Prec. 8 | Munson Memorial Library |
| Prec. 4 | Amherst Post Office | Prec. 9 | Wildwood School |
| Prec. 5 | Town Hall | Prec. 10 | Campus Center, UMass |

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this fifteenth day of October, 2007.

Gerald S. Weiss
Hwei-Ling Greeney
Robert B. Kusner
Alisa V. Brewer
Select Board

October 17, 2007

Hampshire, ss.

In obedience to the within warrant, I have this day as directed posted true and attested copies thereof at the above designated places, to wit:

Willie J. Wheeler
Constable, Town of Amherst